

JOSEPH H. HARRINGTON  
United States Attorney  
Eastern District of Washington  
Caitlin Baunsgard  
Assistant United States Attorney  
Post Office Box 1494  
Spokane, WA 99210-1494  
Telephone: (509) 353-2767

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

MAR 20 2018

SEAN F. McAVOY, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DUSTIN EARL OGLAND and  
TREVOR MATHEW HUMMEL,

Defendants.

4:18-CR-6006-EFS

SUPERSEDING INDICTMENT

21 U.S.C. § 841(a)(1), (b)(1)(C)  
Possession with Intent to Distribute  
A Mixture or Substance Containing  
A Detectable Amount of Fentanyl  
(Count 1)

18 U.S.C. § 924(c)(1)(A)  
Possession of a Firearm in  
Furtherance of Drug Trafficking  
(Count 2)

21 U.S.C. § 841(a)(1), (b)(1)(B)(vi)  
Possession with Intent to Distribute  
40 Grams or More of A Mixture or  
Substance Containing A Detectable  
Amount of Fentanyl (Count 3)

21 U.S.C. § 841(a)(1), (b)(1)(C)  
Possession with Intent to Distribute  
A Mixture or Substance Containing  
A Detectable Amount of Cocaine  
(Count 4)

18 U.S.C. § 924(c)(1)(A)  
Possession of a Firearm in  
Furtherance of Drug Trafficking  
(Count 5)

21 U.S.C. §§ 841(a)(1),  
(b)(1)(A)(vi), 846  
Conspiracy to Distribute 400 Grams  
or More of A Mixture or Substance  
Containing A Detectable Amount of  
Fentanyl (Count 6)

21 U.S.C. § 853, 18 U.S.C. § 924(d)  
and 28 U.S.C. § 2461(c)  
Criminal Forfeiture

The Grand Jury Charges:

**COUNT ONE**

On or about January 25, 2018, in the Eastern District of Washington, the Defendant, DUSTIN EARL OGLAND, did knowingly and intentionally possess with the intent to distribute a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (aka Fentanyl), a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C).

**COUNT TWO**

On or about January 25, 2018, in the Eastern District of Washington, the Defendant, DUSTIN EARL OGLAND, did knowingly and willfully possess a firearm, to wit: a Taurus 9mm handgun bearing serial number TI084457, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is,

1 Possession with Intent to Distribute a Mixture or Substance Containing a Detectable  
2 Amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (aka Fentanyl),  
3  
4 in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), as charged in Count 1, all in violation  
5 of 18 U.S.C. § 924(c)(1)(A).  
6

### 7 COUNT THREE

8 On or about March 13, 2018, in the Eastern District of Washington, the  
9 Defendant, TREVOR MATHEW HUMMEL, did knowingly and intentionally possess  
10  
11 with the intent to distribute 40 grams or more of a mixture or substance containing a  
12 detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (aka  
13 Fentanyl), a Schedule I controlled substance, in violation of 21 U.S.C. § 841(a)(1),  
14  
15 (b)(1)(B)(vi).  
16

### 17 COUNT FOUR

18 On or about March 13, 2018, in the Eastern District of Washington, the  
19 Defendant, TREVOR MATHEW HUMMEL, did knowingly and intentionally possess  
20  
21 with the intent to distribute a mixture or substance containing a detectable amount of  
22 cocaine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1),  
23  
24 (b)(1)(C).  
25

### 26 COUNT FIVE

27 On or about March 13, 2018, in the Eastern District of Washington, the  
28 Defendant, TREVOR MATHEW HUMMEL, did knowingly and willfully possess a  
firearm, to wit: a Springfield .45 caliber handgun bearing serial number 282194, in

1 furtherance of a drug trafficking crime for which he may be prosecuted in a court of the  
2 United States, that is, Possession with Intent to Distribute 40 Grams or More of a  
3 Mixture or Substance Containing a Detectable Amount of N-phenyl-N-[1-(2-  
4 phenylethyl)-4-piperidinyl] propanamide (aka Fentanyl), in violation of 21 U.S.C. §  
5 841(a)(1), (b)(1)(B)(vi), as charged in Count 3, Possession with Intent to Distribute a  
6 Mixture or Substance Containing a Detectable Amount of Cocaine, in violation of 21  
7 U.S.C. § 841(a)(1), (b)(1)(C) as charged in Count 4, and Conspiracy to Distribute 400  
8 Grams or More of a Mixture or Substance Containing a Detectable Amount of N-  
9 phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (aka Fentanyl), in violation of  
10 21 U.S.C. § 841(a)(1), (b)(1)(A)(vi) as charged in Count 6, all in violation of 18 U.S.C.  
11 § 924(c)(1)(A).

### 12 COUNT SIX

13 That beginning on a date unknown, but by on or about September 2017, and  
14 continuing to on or about March 13, 2018, in the Eastern District of Washington, the  
15 Defendants, DUSTIN EARL OGLAND and TREVOR MATHEW HUMMEL, and  
16 other individuals, both known and unknown to the Grand Jury, did knowingly and  
17 intentionally combine, conspire, confederate and agree together with each other to  
18 commit the following offense against the United States, to wit: Distribution of 400  
19 Grams or More of a Mixture or Substance Containing a Detectable Amount of N-  
20 phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (aka Fentanyl), a Schedule I  
21  
22  
23  
24  
25  
26  
27  
28



1 controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A)(vi); all in violation  
2 of 21 U.S.C. § 846.  
3  
4

5 **NOTICE OF CRIMINAL FORFEITURE ALLEGATIONS**  
6

7 1. The allegations contained in this Indictment are hereby re-alleged and  
8 incorporated by reference for the purpose of alleging forfeitures pursuant to 21 U.S.C. §  
9 853; and/or 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).  
10

11 2. Pursuant to 21 U.S.C. § 853 upon conviction of an offense in violation of  
12 21 U.S.C. § 841 as set forth in Counts 1 and 6 of this Indictment, Defendant, DUSTIN  
13 EARL OGLAND, shall forfeit to the United States of America, any property constituting,  
14 or derived from, any proceeds obtained, directly or indirectly, as the result of such  
15 offense(s) and any property used or intended to be used, in any manner or part, to commit  
16 or to facilitate the commission of the offense(s).  
17  
18

19 3. Pursuant to 21 U.S.C. § 853 upon conviction of an offense in violation of  
20 21 U.S.C. § 841 as set forth in Counts 3, 4 and 6 of this Indictment, Defendant, TREVOR  
21 MATHEW HUMMEL, shall forfeit to the United States of America, any property  
22 constituting, or derived from, any proceeds obtained, directly or indirectly, as the result  
23 of such offense(s) and any property used or intended to be used, in any manner or part, to  
24 commit or to facilitate the commission of the offense(s). The assets to be forfeited  
25 include, but are not limited to:  
26  
27  
28

1 -Approximately \$4,204.00 in U.S. currency seized on or about March  
2 13, 2018; and

3 -a Springfield .45 caliber handgun, bearing serial number 282194,  
4 with a loaded magazine inserted into the gun.

5 4. If any forfeitable property, as a result of any act or omission of the  
6 Defendant(s):  
7

8 (a) cannot be located upon the exercise of due diligence;

9 (b) has been transferred or sold to, or deposited with, a third party;

10 (c) has been placed beyond the jurisdiction of the court;

11 (d) has been substantially diminished in value; or

12 (e) has been commingled with other property which cannot be divided  
13 without difficulty,

14 the United States of America shall be entitled to forfeiture of substitute property  
15 pursuant to 21 U.S.C. § 853(p).  
16

17 5. Pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), upon conviction of  
18 an offense in violation of 18 U.S.C. § 924(c)(1)(A) as set forth in Count 2 of this  
19 Indictment, Defendant, DUSTIN EARL OGLAND, shall forfeit to the United States of  
20 America, any firearms and ammunition involved or used in the commission of the  
21 offense.  
22

23 6. Pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), upon conviction of  
24 an offense in violation of 18 U.S.C. § 924(c)(1)(A) as set forth in Count 5 of this  
25 Indictment, Defendant, TREVOR MATHEW HUMMEL, shall forfeit to the United  
26  
27  
28

1 States of America, any firearms and ammunition involved or used in the commission of  
2 the offense, including, but not limited to:  
3

4 A Springfield .45 caliber handgun, bearing serial number 282194,  
5 with a loaded magazine inserted into the gun.

6 DATED this 20 day of March 2018.

7  
8 A TRUE BILL

9  
10 Foreperson

11  
12   
13 JOSEPH H. HARRINGTON  
14 United States Attorney

15  
16   
17 Caitlin Baunsgard  
18 Assistant United States Attorney  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28